



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

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## WIRELESS TELECOMMUNICATIONS BUREAU BEGINS AN AUDIT OF SITE-SPECIFIC LICENSES IN THE PAGING AND RADIOTELEPHONE SERVICE (PART 22) AND SITE-SPECIFIC LICENSES OPERATING ON 929-930 MHz EXCLUSIVE PRIVATE CARRIER PAGING CHANNELS (PART 90)

### *Licensees Must Respond to the Audit Letter by November 12, 2004*

On September 28, 2004, the Federal Communication Commission's (FCC) Wireless Telecommunications Bureau (Bureau) began its license audit of the operational status of all site-specific licenses authorized in the Paging and Radiotelephone Service, Part 22, Subpart E, and site-specific licenses authorized on private carrier paging exclusive channels in the 929-930 MHz band, Part 90, Subpart P. This audit was announced by Public Notice on August 24, 2004<sup>1</sup> and includes licenses in the following radio services:

- "CD" – Part 22, Paging and Radiotelephone Service, Subpart E
- "GS" – Part 90, Paging Operations, Subpart P, exclusive channels

**Note:** This audit does not affect geographic-area licenses granted following an FCC auction or licenses authorized on the 929 MHz private carrier paging shared channels under Section 90.494.<sup>2</sup>

### **The Audit Letter**

On September 28, 2004, letters were mailed to all licensees operating in the "CD" and "GS" (exclusive channels) radio services inquiring into the operational status of each license held. Every licensee being audited must respond and certify, by November 12, 2004, that its authorized station(s) has not permanently discontinued operations from the date of initial construction and operation.<sup>3</sup> The audit letter, mailed to each

<sup>1</sup> See Public Notice, "Wireless Telecommunications Bureau Announces An Audit Of The Operational Status Of Stations Authorized In The Paging And Radiotelephone Service (Part 22) And Stations Operating On 929-930 MHz Private Carrier Paging Exclusive Channels (Part 90)," DA No. 04-2596 (rel. August 24, 2004).

<sup>2</sup> The shared channels are 929.0375 MHz, 929.0625 MHz, 929.0875 MHz, 929.1625 MHz, and 929.2625 MHz. See 47 C.F.R. § 90.494.

<sup>3</sup> Section 22.317 provides that: "any station that has not provided service to subscribers for 90 continuous days is considered to have been permanently discontinued, unless the applicant notified the FCC otherwise prior to the end of the 90 day period and provided a date on which operation will resume, which date must not be in excess of 30 additional days." See 47 C.F.R. § 22.317.

licensee at its address of record, included the call signs of the licensee's authorizations involved in this audit. As requested in the previous Public Notice announcing the audit,<sup>4</sup> if the licensee, by September 25, 2004, verified the address was listed correctly in ULS, obtained its FRN, and associated its call signs with the FRN, it will receive only one audit letter for all of its "CD" and "GS" (exclusive channels) authorizations. However, if the licensee did not ensure the address was correct in ULS, did not obtain its FRN, and did not associate its call signs with the FRN by September 25, 2004, the Bureau attempted to include all of a licensee's call signs subject to this audit in one letter, but may have issued more than one letter for an entity due to slight variations in licensee name or address in the Commission's records.<sup>5</sup> If this is the case, **the licensee must respond to each letter sent by the Commission in order to account for all of its call signs that are part of the audit. If a licensee holds an authorization(s) in the CD or GS (exclusive channels) and does not receive an audit letter, the licensee must still respond to the audit.** Licensees can use the *Audit Search* at <http://wireless.fcc.gov/licensing/audits/paging> to determine if a particular license is part of the audit. If the *Audit Search* shows an audit letter was mailed, the licensee is required to respond to the audit even though the audit letter was not received. For instructions on how to proceed in this instance, call the Commission at 717-338-2888 or 888-CALLFCC (888-225-5322) and select option #2.

**A response to the audit letter is mandatory.** Each licensee is required to submit its response(s), electronically, by November 12, 2004. Specific instructions for responding to the audit, including the internet site, were included in the audit letter. **Failure to provide a timely response may result in the Commission presuming that the station(s) has permanently discontinued operations as described under 22.317, and thus the license may be presumed to have automatically cancelled. Failure to provide a timely response may also result in enforcement action, including monetary forfeiture, pursuant to Section 503(b)(1)(B) of the Communications Act and Section 1.80(a)(2) of the Commission's Rules.**<sup>6</sup>

For assistance in registering with CORES and associating your call sign with the FRN, call 717-338-2888 or 888-CALLFCC (888-225-5322) and select option 2. For additional information on this license audit, visit the audit web site at <http://wireless.fcc.gov/licensing/audits/paging> or contact Denise Walter of the Bureau's Mobility Division at 202-418-0620 or [denise.walter@fcc.gov](mailto:denise.walter@fcc.gov).

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<sup>4</sup> See Public Notice, "Wireless Telecommunications Bureau Announces An Audit Of The Operational Status Of Stations Authorized In The Paging And Radiotelephone Service (Part 22) And Stations Operating On 929-930 MHz Private Carrier Paging Exclusive Channels (Part 90)," DA No. 04-2596 (rel. August 24, 2004).

<sup>5</sup> In this case, each letter will have a unique audit reference number and will list the call signs associated with that exact licensee name and address.

<sup>6</sup> See 47 U.S.C. § 503(b)(1)(b); 47 C.F.R. § 1.80(a)(2).